

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 12, 14, 15, and 23-29 are pending in the application, with claim 12 being the sole independent claim. No claims are sought to be cancelled. New claims 24-29 are sought to be added. Claims 12 and 23 are sought to be amended for clarity. Applicant reserves the right to prosecute similar or broader claims with respect to any cancelled or amended claims, in the future. Claim 15 has been withdrawn from consideration, and is sought to be reinserted into the application upon allowance of generic claim 12.

These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Advisory Action of May 8, 2009, and Rejection under 35 U.S.C. § 102 over Getchel

Claims 12, 14, and 23 were finally rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,375,176 to Getchel *et al.* ("*Getchel*"). Applicant respectfully traverses this rejection.

The Advisory Action states:

Applicant argues that the heater coils of Getchel are NOT the same as the claims "expandable annular tube coupled to the wafer chuck and configured to expand the wafer chuck" as recited in claim 12. In response, while the Examiner respectfully agrees with Applicant, it is respectfully disagreed with regards to the recited language of claim 12 which does NOT specifically or directly require the annular tube to cause an expansion to the wafer chuck through heating. Rather, claim 12

merely requires the use of an expander (which comprises an expandable annular tube coupled to the wafer chuck) to expand the wafer chuck. Thus, *Getchel* anticipates the claim by disclosing an expander 532 (which comprises an expandable annular tube 580 coupled to the wafer chuck 533) to expand the wafer chuck 533 (using heater coils).

Without acquiescing to the Examiner's statements for rejection, for other reasons, and in order to expedite prosecution, Applicant has amended independent claim 12. Claim 12, as amended, recites a system configured to reduce wafer slipping, comprising:

a wafer chuck configured to receive a wafer; and
an expandable annular tube coupled to the wafer chuck
and configured to expand the wafer chuck without substantially
expanding the wafer, such that an initial stress at an interface
between the wafer and the wafer chuck is created.

Independent claim 12, as amended, is patentable over *Getchel* because *Getchel* does not expressly or inherently disclose "an expandable annular tube coupled to the wafer chuck and configured to expand the wafer chuck." See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.").

The Advisory Action dated May 8, 2009 admits that the heater coils of *Getchel* are used to expand the wafer chuck 533, not the circulating tubes 580. Further, the Advisory Action dated May 8, 2009 admits that the heater coils of *Getchel* are not the same as "an expandable annular tube coupled to the wafer chuck and configured to expand the wafer chuck," as recited in claim 12. Therefore, Applicant maintains that *Getchel* does not anticipate claim 12 because *Getchel* fails to disclose this element of claim 12.

Therefore, *Getchel* does not anticipate claim 12, as amended, because *Getchel* fails to disclose each element of claim 12. Dependent claims 14 and 23 are likewise patentable over

Getchel for at least the same reason as independent claim 12 from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 12, 14 and 23 be reconsidered and withdrawn.

Also, Applicant asserts the dependent claims 14 is patentable over *Getchel* in view of its additional combination of distinguishing features.

For example, at least, among other features, the "wherein said annular tube is coupled to an outer edge of said wafer chuck" feature recited in claim 14 is not disclosed by *Getchel*.

The Final Office Action of April 3, 2009, on page 3, relies on FIG. 11A and tube 580 of *Getchel* to allegedly reject the above-noted feature of claim 14. Applicant respectfully disagrees. *Getchel* FIG. 11A illustrates and column 17, lines 61-65, disclose that the tube 580 is included in a heat sink/heater assembly of a chuck. In contrast to teaching of *Getchel* that included the tube in the chuck, claim 14 recites, among other features, "wherein said annular tube is coupled to an outer edge of said wafer chuck."

Request for Reconsideration of Non-Elected Claims/Species Restriction

The Office Action of April 3, 2009, states, "[C]laim 15 remains withdrawn from further consideration as being directed to a non-elected invention." (Office Action of April 3, 2009, page 2). Applicant asserts that at least claim 12 is an allowable generic claim. This was addressed previously in the Reply to Requirement for Election of Species filed March 10, 2006. Claim 12 is generic to claim 15. Since claim 12 should now be found allowable, claim 15 should be brought back into the application and found allowable, at least based on its dependency to claim 12. (See M.P.E.P. § 809).

Reconsideration and withdrawal of the election of species requirement is respectfully requested.

New Claims

Newly presented claims 24-29 have been added to provide Applicant with additional scope of protection commensurate with the disclosure. Support for claims 24-29 may be found in numerous places in the original disclosure, e.g., in paragraphs [0040], [0045] and [0052]. Further, since claims 24-29 are dependent upon independent claim 12, Applicant asserts that claims 24-29 are patentable for at least the same reasons as independent claim 12, from which they depend, and further in view of their respective features.

Applicant respectfully requests entry of these newly presented claims 24-29 and passage through to allowance.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jason D. Eisenberg
Attorney for Applicant
Registration No. 43,447

Date: July 6, 2009

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

1001260_1.DOC